



State of Alabama

Department of Child Abuse and Neglect Prevention



**Mandatory Reporting and Erin's Law
Implementation: What School
Professionals Need to Know**

MEGA Conference

July 11, 2017

Overview



- History and Role of ADCANP/CTF
- Erin's Law – background and passage in Alabama
- Governor's Task Force on Child Sexual Abuse Prevention
- Define and identify the signs of suspected child abuse
- Role of a Mandatory Reporter
- Implementation of training in schools
- Impact of Abuse
- Prevention of Abuse
- Questions

Department of Child Abuse & Neglect Prevention



- Created by Act of Legislature in 1983
- Community-Based Prevention Programs
- Public Policy Advocacy
- Public Education
- Network of Grantees
- Affiliated with National Organizations
 - National Alliance of Children's Trust & Prevention Funds
 - Prevent Child Abuse America





Erin's Law

- Erin Merryn – child sexual abuse victim turned advocate to pass legislation in each state
- Alabama passed Erin's Law 2015 legislative session and signed into law by Gov. Bentley on June 11, 2015
- Established Governor's Task Force on Child Sexual Abuse Prevention

Update on Erin's Law



Task Force on the Prevention of Child Sexual Abuse met during 2015 and presented Gov. Bentley with recommendations in Dec. 2015

- HB238 passed and signed by Gov. Bentley in May 2016 adding amendments to Erin's Law
- All K-12 Public schools (including Pre-K) shall establish a child sexual abuse prevention program
- The content of instruction shall be at the discretion of the local board as noted in Dr. Philip Cleveland's (formerly Interim Superintendent) memo to City and County Superintendents
- Professional training component for school personnel added, requiring mandatory reporting training



- Task Force recommends using the on-line mandatory training portal on the DHR web site
- Task Force working to adopt guidelines for a child sexual abuse prevention instructional program
- Guidelines include giving children knowledge and encouragement to speak up and tell if anyone has touched them inappropriately
- Educate children on “safe touch, unsafe touch”
- Use developmentally, age-appropriate educational curricula, activities, discussions, etc., for instructional purposes
- Curriculum resources listed on www.ctf.alabama.gov



- Primary task force recommendation – continue work of task force and continue meeting
- New task force configured for 2016-2017 made up of State Agency Head appointments and legislative appointments
- Tracy Plummer, CTF Deputy Director, serves as Chair
- Trisha Melberg, attorney with the Office of Prosecution Services, serves as Vice-Chair
- Task Force meets monthly



Links and Resources x Mozilla Firefox Start Page x +

www.ctf.alabama.gov/Resources.htm Search

GOVERNOR'S TASK FORCE ON THE PREVENTION OF CHILD SEXUAL ABUSE (Erin's Law)

ONLINE SAFETY RESOURCES

Resources for Educators, Parents, Guardians and Students
Provided by the Alabama Fusion Center

- www.icactaskforce.org • Numerous hyperlinked online safety resources for LEO, educators & parents
- www.Guardchild.org • Sexting PSAs done by teens
- www.Missingkids.org • National Center for Missing & Exploited Children
• Educator, parental and LEO resources
• Excellent Sexting Video PSAs
- www.esafety.gov.au • Booklet, posters (gender specific), other tools
- www.facebook.com/safety • Cyberbullying videos
• Using social media wisely
• Parent/teacher sections
- www.facebook.com/help • Direct parents/victims to this section to report an issue

PRESENTATIONS: [The ABC's of Mandatory Reporting of Child Abuse and Neglect for Alabama's School Personnel](#)

QUESTIONS & ANSWERS: [Mandatory Reporting - Erin's Law Q & A](#) (provided by the Alabama State Department of Education)

ADDITIONAL RESOURCES

BROCHURES -

Who is a Mandatory Reporter?



Any person whose profession brings them in contact with children on a daily basis is legally obligated to report signs of suspected child abuse or neglect.

- Employees at hospitals, clinics and sanitariums
- Social Workers
- Child Care Employees
- Clergy
- **School Teachers/Officials**
- Dentists
- Law Enforcement
- Peace Officers
- Mental Health Professionals
- Pharmacists
- Nurses
- Podiatrists
- Chiropractors
- Optometrists
- Osteopaths
- Coroners
- Medical Examiners
- Surgeons
- Physician
- Doctors

Added to Mandatory Reporter Law



- Physical Therapists
- Public and private K-12 Employees
- Employees of public and private institutions of postsecondary and higher education

Other Changes to Mandatory Reporter Law



- The statement “or cause reports to be made of the same” has been eliminated from the law.
- It is the responsibility of the mandatory reporter to make the report and follow up with a written report to the county DHR.

What is Child Abuse?



Harm or threatened harm to a child's health or welfare which can occur through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse, sexual exploitation or attempted sexual exploitation.

Different Types of Child Abuse

- Physical
- Sexual
- Emotional
- Neglect/ Failure to thrive



Physical Abuse



Abuse means harm or threatened harm to the health or welfare of a child through:

- Non-accidental physical injury
- Sexual abuse or attempted sexual abuse
- Sexual exploitation or attempted sexual exploitation
- Hitting
- Kicking
- Biting
- Burning
- Pushing
- Shaking
- Any other physical act that can cause injury to a child

Citation: Ala. Code § 26-14-1(1)

Signs to Look for with Physical Abuse



- Bruises
- Marks in the shape of an object
- Unexplained bruises, burns or cuts
- Fear of adults
- Destructiveness toward self or others
- Poor social skills
- Aggression
- Defiance
- Clothing that may be inappropriate

Sexual Abuse



- *Sexual abuse* includes:

- The employment, use, persuasion, inducement, enticement, or coercion of any child to engage in or having a child assist any other person to engage in any sexually explicit conduct
- Any simulation of the conduct for the purpose of producing any visual depiction of the conduct
- The rape, molestation, prostitution, or other form of sexual exploitation of children
- Incest with children

Citation: Ala. Code § 26-14-1(1)

- *Sexual exploitation* includes:

- Allowing, permitting, or encouraging a child to engage in prostitution
- Allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes

Citation: Ala. Code § 26-14-1(1)

Signs to Look for with Sexual Abuse



- Inappropriate displays of affection
- Unusual interest in or inappropriate sexual knowledge
- Over-compliance
- Pain during urination
- Difficulty walking or sitting
- Frequent vomiting
- Wetting pants

Recent Alabama Headlines pertaining to teacher-student alleged inappropriate conduct



- Alabama teacher, coach arrested after 'touching' 5 female students
 - School system facing lawsuit after teacher allegedly offers "grades for sex"
 - Accused Alabama man's lawyer wants teacher-student sex law ruled unconstitutional
 - Female teacher arrested after accusation of having inappropriate relationships with two of her students
 - Middle school teacher fired, accused of inappropriate conduct with student
 - Former High School teacher arrested for sexual contact with student
 - Longtime Alabama educator arrested for sex with student, child porn possession
-
- Alabama had a higher rate of incidents of school employees sexually assaulting students than any other state in the nation according to a study compiled by a former U.S. department of education staffer

Emotional Abuse



- Emotional Abuse includes non-accidental mental injury.
 - Belittling
 - Terrorizing
 - Lack of nurture
 - Rejecting
 - Inconsistent parenting
 - Violent environment

Citation: Ala. Code § 26-14-1(1)

Signs to Look for with Emotional Abuse



- Depression or withdrawal
- Lack of emotion
- Lack of interest
- Speech, sleep or eating disorders
- Repetitive actions, such as rocking, sucking or biting
- Increased emotional needs

Neglect



Neglect means negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.

Citation: Ala. Code § 26-14-1(1)

- Physical neglect
- Educational neglect
- Emotional neglect

Signs to Look for with Neglect



- Clothing that is dirty, torn, poorly fitting or inappropriate for the weather
- Sleepiness
- Poor hygiene
- Untreated medical or dental problems
- Inappropriate responsibility for younger siblings
- Frequent tardiness or absences from school
- Apparent lack of supervision

If you suspect abuse, what should you do?



- Trust your instincts
- Take notes
- Look at the facts
- Make a report using form:

DHR-FCS-1593 available at your county DHR office or available online.

http://dhr.alabama.gov/services/Child_Protective_Services/Written_Report_MandatoryReporters.aspx



DHR On-line Mandatory Training

- Link under Child Protective Services
 - www.dhr.alabama.gov
- Link under CTF web site
 - Training opportunities
 - www.ctf.alabama.gov





Sometimes, **you're** the only protection **they** have.

**GET STARTED****MAKE A REPORT****DEFINITIONS**

TION

Welcome to training for mandated reporters in Alabama! Click on the "Get Started" button above to access the course enrollment page where you may select and enroll in the training that you want to complete.

Code of Alabama § 26-14-3 (1975) provides for the mandatory and permissive reporting of child abuse/neglect by "constituted authority," primarily the Department of Human Resources (DHR) and law enforcement, when any person suspects children are being abused or neglected. The **Child Abuse Mandated Reporters Training** explains:

- Why it is important to report child abuse and neglect
- Who is required to report it
- How to recognize it
- How and when to report it
- What happens after a report is made

The Alabama Adult Protective Services (APS) Act of 1976 (Code of Alabama § 38-9-2 through 38-9-11) addresses

What is your liability?



All persons reporting suspected child abuse or neglect (whether required by law or not) are presumed to be acting in good faith. Alabama law provides immunity from liability for actions by mandatory reporters.

Citation: Ala. Code § 26-14-9

It is not necessary to prove that the abuse or neglect happened. You must have a reasonable suspicion.

Is your job protected?



“A public or private employer who discharges, suspends, disciplines, or penalizes an employee solely for reporting suspected child abuse or neglect ... shall be guilty of a Class C misdemeanor”

Citation: Ala. Code § 26-14-3(g)

Penalties for Failure to Report



“Any person who shall knowingly fail to make the report required by this chapter shall be guilty of a misdemeanor and shall be punished by a sentence of not more than 6 months’ imprisonment or a fine not more than \$500.00.”

Citation: Ala. Code § 26-14-13



How Common is Child Abuse & Neglect Nationally?*



- 4 million (estimate) reports of child abuse or neglect were made in 2015
- 683,000 children classified as being maltreated (estimate)
 - 75% neglected – 17% physically abused
8.3% sexually abused
- 1,670 children died in the United States in 2015 from abuse & neglect
- 1670 child fatalities – 21% under the age of one year

*NCANDS – Children's Bureau

The Alabama Story - 2015



- 30,647 reports made – up 17%
- 8,466 victims
- 39.5% Neglect
- 52% Physical Abuse
- .24% Psychological Abuse
- 17.4% Sexual Abuse



13 child deaths reported due to abuse/neglect

Most indicated abuse victims in Alabama are under the age of four.

Core of Strengthening Families™: Building the 5 Protective Factors

1. Parental resilience
2. Social connections
3. Knowledge of parenting and child development
4. Concrete support in times of need
5. Social and emotional competence of children



Community Action and Prevention



- Promote community awareness
- Educate parents
- Educate children
- Provide role models and dependable child care
- Work with community leaders
- Support special programs
- Support children's legal rights

What Child Maltreatment Means to Society



- Annual cost of child abuse and neglect is \$124 Billion nationally
- Annual cost to Alabama is over \$2.3 Billion
- A child who is abused or neglected is 59% more likely to be arrested as a juvenile than other children
- An estimated one-third of abused and neglected children will eventually victimize their own children

Long term effects of child abuse



- Learning disorders or speech deficits
- Dropping out of school
- Sexually transmitted diseases
- Teenage pregnancy
- Substance abuse
- Unemployment
- Crime and violence
- Brain damage
- Suicide
- Depression, anxiety or low self-esteem



★ **TODAY** ★
is the
CHILDHOOD
OUR ♥ KIDS
will
★ **REMEMBER** ★

Contact Information



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National Alliance of Children's Trust & Prevention Funds

www.ctf.alliance.org